

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

THE HONORABLE STEPHEN V. WILSON, DISTRICT JUDGE PRESIDING

FAIZ NUR,)	
)	
Plaintiff,)	
)	
vs.)	No. CV 15-94-SVW
)	
THE TATITLEK CORPORATION, INC.,)	
et al.,)	
)	
Defendants.)	
_____)	

REPORTER'S TRANSCRIPT OF PROCEEDINGS

LOS ANGELES, CALIFORNIA

MONDAY, DECEMBER 7, 2015

DEBORAH K. GACKLE, CSR, RPR
United States Courthouse
312 North Spring Street, Room 402A
Los Angeles, California 90012
(213) 620-1149

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

APPEARANCES OF COUNSEL:

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1 **LOS ANGELES, CALIFORNIA; MONDAY, DECEMBER 7, 2015; 3:40 P.M.**

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4 THE CLERK: Item 7, CV 15-94-SVW, Fiez Nur, et al
5 versus Tatitlek corporation.

6 Counsel, please state your appearances.

7 MR. DAYES: Good afternoon. Trey Dayes appearing on
8 behalf of plaintiffs.

9 MR. GIOVANNONE: Good afternoon. John Giovannone on
10 behalf of Tatitlek Support Services, Inc. and GeoNorth.

11 THE COURT: Okay.

12 This matter is before the court because the parties
13 requested a deferral of the ruling on the pending summary
14 judgment motions. Because the parties may engage in mediation.
15 I'm not of the mind to delay decisions on a hope, a wish and a
16 prayer. So where are we here?

17 MR. GIOVANNONE: Thank you, Your Honor.

18 On Thursday of last week, we actually filed a notice
19 with the court -- that I'm not sure if it made its way to your
20 desk -- that we actually have scheduled a mediation for
21 February 5th --

22 THE COURT: I see.

23 MR. GIOVANNONE: -- with David Rotman, very
24 experienced wage and hourly mediator.

25 MR. DAYES: That's correct, Your Honor.

1 THE COURT: And you've asked me not to show my hand
2 in any way so I won't, but there are serious issues, without
3 making any indication involved, and I haven't reached a firm
4 conclusion, although prior to being informed of this mediation,
5 naturally the court was looking into the issues.

6 So you both strike me as being experienced lawyers
7 who undoubtedly know their case a lot better than I do at this
8 point.

9 Without making any commitment, which you can't, but
10 what are the prospects?

11 MR. DAYES: Your Honor, I believe the prospects are
12 good of obtaining a settlement. Obviously we can't make a
13 promise, but we came together rather quickly, and we feel
14 really good about the mediator; he seems very experienced.

15 THE COURT: I don't know him. First I thought it was
16 a retired superior court judge in Santa Monica that I knew many
17 years ago, David Rothman, but this is David Rotman,
18 R-o-t-m-a-n.

19 MR. DAYES: That's correct, Your Honor.

20 THE COURT: And is he a retired judge, or is he a
21 lawyer specializing in this area?

22 MR. GIOVANNONE: If I may, Your Honor, he is a lawyer
23 specializing in this particular area and, in fact, has been
24 doing it longer than I had been in the practice of law.

25 THE COURT: And he still practices, or is he

1 exclusively a mediator now?

2 MR. GIOVANNONE: Exclusively a mediator.

3 THE COURT: I see. And is he part of any of these
4 groups, or is he just on his own?

5 MR. GIOVANNONE: He is in a three-person partnership
6 that does exclusively mediation services. Each of his two
7 partners has a different area of specialty. He is their wage
8 and hour guru. He's about as well respected as you can be in
9 the area.

10 THE COURT: Do you agree with that?

11 MR. DAYES: I do, Your Honor.

12 THE COURT: Yeah.

13 And the mediation is February 5th. Well, that means
14 that there is also a motion for class certification in January.

15 Do you want me to put that off, too, until the
16 mediation is resolved?

17 MR. GIOVANNONE: I believe you have. There was a
18 stipulation to take the hearing off.

19 THE COURT: I see. All right. Here's what I'll do.
20 February 5th is what day of the week?

21 MR. GIOVANNONE: That is a Friday, Your Honor.

22 THE COURT: Then I'll schedule a further status
23 conference not the following Monday but the Monday after that.

24 THE CLERK: The 16th?

25 THE COURT: Let's say at 11:45.

1 So if we have a jury trial ...

2 THE CLERK: 11:45. Further status conference will be
3 February 16th at 11:45.

4 THE COURT: I hope you have success.

5 MR. GIOVANNONE: Thank you, Your Honor.

6 MR. DAYES: Thank you, Your Honor.

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8 (Proceedings concluded at 3:50 p.m.)

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C E R T I F I C A T E

I hereby certify that pursuant to Section 753,
Title 18, United States Code, the foregoing is a true and
correct transcript of the stenographically reported proceedings
held in the above-entitled matter and that the transcript page
format is in conformance with the regulations of the Judicial
Conference of the United States.

Date: December 21, 2015

/s/ _____

Deborah K. Gackle
CSR No. 7106

<p>MR. DAYES: [6] MR. GIOVANNONE: [9] THE CLERK: [3] THE COURT: [13]</p>	<p>9601 [1] 2/17 A</p>	<p>conformance [1] 7/7 corporation [2] 1/9 3/5</p>
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<p>/S [1] 7/12 1 1100 [1] 2/7 1149 [1] 1/25 11:45 [3] 1406 [1] 2/16 15-94-SVW [2] 1/8 3/4 1610 [1] 2/8 1644 [1] 2/8 16th [2] 5/24 6/3 18 [1] 7/4</p>	<p>ago [1] 4/17 agree [1] 5/10 al [2] 1/10 3/4 All [1] 5/19 also [1] 5/14 although [1] 4/4 ANGELES [4] any [4] appearances [2] 2/1 3/6 appearing [1] 3/7 are [4] area [4] as [3] asked [1] 4/1 at [4] Avenue [1] 2/7 AZ [1] 2/7</p>	<p>D Date [1] 7/10 David [3] day [1] 5/20 Dayes [3] DEBORAH [2] 1/23 7/13 DECEMBER [3] decisions [1] 3/15 Defendant [1] 2/13 Defendants [1] 1/11 deferral [1] 3/13 delay [1] 3/15 desk [1] 3/20 different [1] 5/7 DISTRICT [3] DIVISION [1] 1/3 do [5] does [1] 5/6 doing [1] 4/24 don't [1] 4/15</p>
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